

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PASHA S. ANWAR, *et al.*,

Plaintiffs,

v.

FAIRFIELD GREENWICH LIMITED, *et al.*,

Defendants.

This Document Relates To: 09-cv-118 (VM)

Master File No. 09-cv-118 (VM)

**NOTICE OF MOTION FOR (I) PRELIMINARY APPROVAL OF THE PARTIAL  
SETTLEMENT, (II) PRELIMINARY CERTIFICATION OF THE CLASS FOR PURPOSES  
OF THE PARTIAL SETTLEMENT, (III) APPROVAL OF  
NOTICE TO THE CLASS, AND (IV) SCHEDULING OF A SETTLEMENT HEARING**

PLEASE TAKE NOTICE that Representative Plaintiffs,<sup>1</sup> on their own behalf and on behalf of the Settlement Class, through counsel, hereby move this Court before the Honorable Victor Marrero, for an order pursuant to Rule 23 of the Federal Rules of Civil Procedure: preliminarily approving the proposed partial class action settlement; preliminarily certifying the Settlement Class for settlement purposes only; appointing Representative Plaintiffs as class representatives and Boies, Schiller & Flexner LLP, Wolf Popper LLP, and Lovell Stewart Halebian Jacobsen LLP as class counsel; approving the proposed forms of the Notice of Proposed Partial Settlement of Class Action and Settlement Fairness Hearing and Motion for Attorneys' Fees and Reimbursement of Expenses, and the Summary Notice of Proposed Partial Settlement; approving the proposed

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<sup>1</sup> All capitalized terms not otherwise defined herein have the same meanings as set forth in the Stipulation of Settlement dated as of November 6, 2012, filed herewith.

methods of disseminating notice; approving Rust Consulting as Claims Administrator; setting a date for the Settlement Hearing; and such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Representative Plaintiffs submit herewith: Plaintiffs' Memorandum in Support of their Motion for (i) Preliminary Approval of Partial Settlement, (ii) Preliminary Certification of the Class for Purposes of Settlement, (iii) Approval of Notice to the Class, and (iv) Scheduling of a Settlement Hearing; and the accompanying Stipulation of Settlement dated as of November 6, 2012, with exhibits appended thereto, including the Proposed Order Preliminarily Approving Settlement and Providing for Notice of Proposed Settlement.

Dated: November 6, 2012

Respectfully submitted,

By: /s/ David A. Barrett

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Lead Counsel for PSLRA Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 6, 2012, I caused true and correct copies of the foregoing to be served by ECF on all parties registered with the Court's ECF system under docket number 09-CV-118 (VM).

/s/ Eli J. Glasser  
Eli J. Glasser